Sectt. II-27—45,004— 14-11-29.

Law (GL)

# (1930) Department.

MS. SERIES.

**G.O. No.** 1430

**DATED** 29-3-1930

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## [Despatch Abstract.]

Establishment - District Munsif's Court, Kandapur - permanent retention of the temporary clerk on Rs.35-60 a month - Sanctioned.

C.F. 60.

**DEPARTMENT.**

Q 4187 β
14 9 29

*Received* ..... 192 . *Registered* ..... 192

*Subject.*

9-P

| Enclosures. |
|---|
| No ..... |
| ..... |
| Spare copies ..... |

R.O.C.No. 3878/29/D2.

*Station* Madras, *Dated the* 12th September 1929.

From (Name) I. M. Fraser Esquire, I.C.S.,

(Designation) Registrar, High Court, Madras.

To The Secretary to the Government of Madras,

Law (General) Department.
(with enclosures).

Sir,

Establishment - District Munsif's Court, Kundapur -- Addition of one clerk -- recommended.

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There are at present only 7 clerks, including the Head Clerk, on the establisment of the District Munsif's Court, Kundapur. Statement A enclosed shows the average institution of original and small cause suits in the several District Munsif's Courts in the South Kanara District and the number of clerks attached to each Court. It will be seen therefrom that in none of the Courts in the District, the establishment exceeds the normal strength of 8 clerks and that the file of the District Munsif's Court, Kundapur compares

favourably with those of the District Munsif's Courts of Mangalore and Udipi each of which has got an establishment of 8 clerks including the Head Clerk. It will further appear from the statement B, enclosed, that the work is on the increase in the District Munsif's Court, Kundapur. The District Judge states that it is not possible to strengthen the clerical establishment at Kundapur by transfer of clerks from any other Court in the District. (Please see copy of his letter D.No.3796 dated 28-8-1929, enclosed). In the circumstances, their Lordships consider that the establishment of the District Munsif's Court, Kundapur should be strengthened by the addition of a clerk permanently. I am therefore to request that His Excellency the Governor in Council may be pleased to sanction the employment of an additional clerk on Rs.35--60 per mensem in the District Munsif's Court, Kundapur on a temporary basis upto 31-3-1930 and to treat the proposal for his permanent retention as a part II scheme for 1930--31.

2. The extra cost involved in the proposal during the current year can be met from the budget grant for the year under 24(e) II Mufassal Civil and Sessions Courts - Pay of establishments- Voted.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

V.K.

13.9.29

## STATEMENT "A".

Average institutions for 1926--1928.

| Name of Court. | Original Suits. | Small Cause Suits. | Total. | Number of clerks including Head Clerk. |
|---|---|---|---|---|
| District Munsif's Court, Mangalore. ... | 611 | 1076 | 1687 | 8 |
| " Kasaragod .... | 659 | 873 | 1532 | 7 |
| " Udipi. ... | 735 | 1131 | 1866 | 8 |
| " Kundapur. .... | 863 | 821 | 1684 | 7 |
| " Karkal ... | 809 | 301 | 1110 | 6 |
| " Puttur. ... | 991 | 335 | 1326 | 7 |

## STATEMENT "B".

Institutions.

| Particulars. | 1922 | 1923 | 1924 | 1925 | 1926 | 1927 | 1928 |
|---|---|---|---|---|---|---|---|
| Original Suits | 728 | 798 | 961 | 934 | 1000 | 982 | 807 |
| Small Cause Suits. | 495 | 519 | 606 | 526 | 618 | 723 | 1123 |
| Miscellaneous Petitions. | 2466 | 2628 | 2645 | 2209 | 2597 | 2206 | 2594 |
| Execution petitions. | 2567 | 2679 | 2795 | 3151 | 3550 | 3294 | 3636 |

Disposals.

| Particulars. | 1922 | 1923 | 1924 | 1925 | 1926 | 1927 | 1928 |
|---|---|---|---|---|---|---|---|
| Original Suits | 810 | 739 | 846 | 956 | 1100 | 919 | 667 |
| Small Cause Suits. | 505 | 506 | 609 | 537 | 607 | 677 | 1080 |
| Miscellaneous petitions. | 2561 | 2620 | 2625 | 2215 | 2592 | 2202 | 2574 |
| Execution petitions. | 2622 | 2625 | 2774 | 3145 | 3503 | 3244 | 3656 |

13.7.29.

Copy of letter No. 3776 D.3878 D2. dated 28th August 1929, from the District Judge, South Kanara to the Registrar of the High Court of Judicature, Madras.

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In forwarding herewith copy of letter No.834 dated the 22nd April 1929 addressed to me by the District Munsif, Kundapur for two extra clerks permanently for his Court, I have the honour to state that the existing establisment of that Court consists of seven clerks including the Head Clerk. From the statement appended to the District Munsif's letter showing the distribution of work among the several clerks, it will be seen that each clerk has more than enough work to do every day and that owing to the inadequacy of the clerical staff and the difficulty in coping with the increasing volume of clerical work members of the process and copyist departments are impressed into service. The High Court have more than once animadverted on the practice of drafting into the regular establishment, even though temporarily, (members of other establishments on the ground obviously) that it will prejudicially affect the work of the Court as a whole. The District Munsif pointed out to me at the time I inspected his Court some time ago that, unless his clerical staff was reinforced, it would be difficult to cope with the enormous increase in scriptory work which was more or less chronic. In his above letter he urges the necessity for the addition of two clerks to his staff, but I am of opinion that one more clerk is an absolute necessity. In this connection, I would invite attention to the observation of Government at page 12 of G.O.No.535 Judicial dated the 25th February 1916, that there is no objection to provide a uniform staff of eight clerks to each District Munsif's Court and the High Court have been given the discretion either to increase the number of clerks in any Court or to

direct

direct a re-adjustment of the clerical staff in the district by distributing the clerks among the several Courts according to their requirements. As pointed out in my letter No.4682 dated the 10th September 1927 recommending an extra clerk to the District Munsif's Court, Puttur, all the Courts in this District are undermanned and in none of them is the existing clerical staff in excess of its actual requirements. On the other hand, the number of clerks in each of them is disproportionately small having regard to the volume of work. I request, therefore, that the High Court may be pleased to move Government to sanction the entertainment permanently of an additional clerk for this Court as early as practicable.

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13-9-29

[illegible] electr[illegible], [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [

| | | | | | |
|---|---|---|---|---|---|
| 5 | ~~do~~ | do. | Permanent retention of an additional clerk on Rs 35-35-1½-50-1-60 per mensem in the District Munsiff's Court, Kundapur | Ultimate Cost. — 720 | Cost during 1930-31 — 420 |

## Remarks

High Court letter Adc. no. 3878-29-32 dated 12th September 1929.

Law (Pl.) Deptt.

Establishment. Dt. Munsif's Court, Kundapur - Addition of a clerk.

11.1.29

LCNo. 4189 BJ From the Registrar, High Court, R.O.C. No. 3878/29/D2 dt. 12.9.29.

A.S. -

In the circumstances stated by the Dt. Judge and the High Court, a case seems to have been made out for the ~~permanent~~ addition of an additional permanent clerk in the Dt. Munsif's Court, Kundapur. The proposal for the addition of a permanent clerk has to be treated as a Part II scheme. It is for consideration whether it is sufficient if the proposal is treated as a Part II scheme for the next year and the appointment sanctioned with effect from the 1.4.1930. If, however, it be decided to agree to the suggestion of the High Court that the appointment may now be sanctioned on a temporary basis and the proposal for the permanent retention of the appointment be treated as a Part II scheme, the draft ~~subd~~ below may issue with the concurrence of Finance.

SECRETARY TO GOVT. 27 SEP 1929 FINANCE DEPT.

31116 A

Law (Pl.) No. 4189 B/29.9.29

Law (Pl.) 26/9 24/9/29 Finance 27/9/29

Finance E.R.

The proposal of the Law(L) Dept. is to sanction temporarily from 1-11-29 to 31-3-30 a clerk on Rs 35-60 a month in the Munsif's Court Kundapur and to treat his permanent retention as a part II scheme for 1930-31. The extra cost of the proposal comes to Rs 570 per annum.

From Statement A furnished by the High Court it will be seen that the average institutions for 1926-28 in the Kundapur Munsif's Court is more than (the average institutions in) the Munsif's Court, Mangalore. The number of clerks working in the Kundapur Munsif's Court is 7 while the number of clerks working in the Mangalore Munsif's Court is 8. Further it is noted that the number of institutions in the Kundapur Munsif's Court is on the increase. Statement B on p. 3 C.F. The Munsif Judge S. Kanara states that unless the present clerical staff is reinforced it would be difficult to cope with the enormous increase of Scriptory work. In the circumstances Finance may agree to the proposal.

The draft order maybe accepted.

SR
30.9.29.
JWAV
1.10.29

Ebs
SW 29.
Law
Law Dept.

L-2 46664
9/10/29
Taken out for issue
9.10.29

AS.
HH
10.10.29

For orders as to issue.
AR
11/10

Under issue

(U) Issued as Go. No. 3955 dt. 14-10-929.

A.S.

With reference to 'A' on ~~page~~ page 1 ante, the proposal relating to the permanent retention of the clerk may be treated as a Part II scheme. The High Court has included it in the list of Part II schemes for the next year. A draft note for the Finance Committee is putted. The Finance Dept. may be requested to add their portion of the note.

pp. 6-7 cf

AR
14/10

Law (B) L. 4189 B.2
15.X.29

HH
12.10.29

5
John
15/10

Finance

33272

JH
12-10-29

Finance F.R.

previous Finance notes on pp 2-3 ante.
The note for the Finance Committee maybe accepted and the following added as the note by this department

"The proposal maybe placed before the Finance Committee as a part II Scheme for 1930-31"

SN
16.10.29

JVAN
16.10.29

Elis
16.10.29.

Law.

Thro BE IV
17.X.29

Tri No 33272RT
18.10.29

Approval
18/10

C3 22-10-29
C2

22/10/29

22 OCT 1929
LAW DEPARTMENT

18.X.29

18 OCT 1929
LAW DEPARTMENT

Note sent to Press on
29/10

LAW (GENERAL) DEPARTMENT.

# NOTE FOR THE FINANCE COMMITTEE.

## PART II SCHEME FOR 1930-31.

[SUBJECT.—*Permanent retention of the temporary clerk in the District Munsif's Court, Coondapoor.*]

*Summary.*

| Head of account. | Item of expenditure. | Ultimate cost. | Cost in 1930-31. |
|---|---|---|---|
| | | RS. | RS. |
| 24. e. Administration of Justice —Civil and Sessions Courts— | One clerk on Rs. 35—60 a month. | 570 | 385 |
| ii. Mufassal — Civil and Sessions Courts—Pay of Establishments — Voted — Permanent. | Savings under Temporary. | 570 | 385 |
| | Extra cost. | Nil. | Nil. |

NOTE BY THE ADMINISTRATIVE DEPARTMENT.

Consequent on the increase of work in the District Munsif's Court, Coondapoor, the Hon'ble the Judges recommended, in September last, that the establishment of the above court, which consisted of 7 clerks, including the head clerk, might be strengthened by the addition of another clerk. It was also pointed out that in comparison with other courts of the South Kanara district, having a staff of 8 clerks including the head clerk, the District Munsif's Court, Coondapoor, should be regarded as undermanned. The High Court furnished the following statements in support of its proposal:—

STATMENT A—Institutions.

| Particulars. | 1922. | 1923. | 1924. | 1925. | 1926. | 1927. | 1928. |
|---|---|---|---|---|---|---|---|
| Original suits .. .. .. .. | 728 | 798 | 961 | 934 | 1,000 | 982 | 607 |
| Small cause suits .. .. .. | 495 | 519 | 606 | 526 | 618 | 723 | 1,123 |
| Miscellaneous petitions .. .. | 2,466 | 2,628 | 2,645 | 2,209 | 2,597 | 2,206 | 2,594 |
| Execution petitions .. .. .. | 2,567 | 2,679 | 2,795 | 3,151 | 3,550 | 3,294 | 3,636 |

STATEMENT B—Average institutions (1926-28) in the courts of the District Munsifs in South Kanara district with the number of clerks.

| Name of court. | Original suits. | Small cause suits. | Total | Number of clerks including head clerks. |
|---|---|---|---|---|
| District Munsif's Court, Mangalore .. .. .. .. | 611 | 1,076 | 1,687 | 8 |
| Do. Kasaragod .. .. .. .. | 659 | 873 | 1,532 | 7 |
| Do. Udipi .. .. .. .. .. | 735 | 1,131 | 1,866 | 8 |
| Do. Coondapoor .. .. .. .. | 863 | 821 | 1,684 | 7 |
| Do. Karkal .. .. .. .. .. | 809 | 301 | 1,110 | 6 |
| Do. Puttur .. .. .. .. .. | 991 | 335 | 1,326 | 7 |

As a case was made out for the addition of a clerk to the establishment of the District Munsif's Court, Coondapoor, the Government sanctioned the appointment of a clerk on a temporary basis from the 1st November 1929 till the 31st March 1930 and reserved the question of permanently sanctioning the additional clerk for consideration in connexion with the Part II schemes for the next year. There appears to be ample justification for the recommendation of the High Court that this appointment should be made permanent from the 1st April 1930. The proposal is recommended in this department.

J. VENKATANARAYANA—15-10-29.

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NOTE BY THE FINANCE DEPARTMENT.

The proposal may be placed before the Finance Committee as a Part II Scheme for 1930-31.

E. C. WOOD—17-10-29.

R

1

Permanent retention of the temporary clerk in the Dt. Munsif's Court, Kundapur.

AS.

The Legislative Council has voted the Budget grant under Professional Taxes and Sessions Courts.

2/ A draft order is submitted. It may issue with the concurrence of the Finance Dept.

28/3

Law (Ex) a 4189 B-3
29.3.30

Finance L.R.

~~Proceed. Finance notes on pp 5-6 ante.~~
Please see the note for the Finance Committee on pp 5-6 ante.
The draft order maybe accepted. ~~and~~
The sanction has been registered as No 74 of 1930-31.

11584

28.3.30

28.3.30

28/3/30

Law (Jud.) dept.

28 MAR 1930

Fin (G) 10584 EII-1
28.3.30

May issue
28/3

S Jones
29.3

V. 15-26 B
28/3/30

Sectt. II-5(a)—50,606—5-11-29.

Land (Gl.) DEPARTMENT.

| | Date. | Initials. |
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| When received for Fair-copying. | | |
| When copied .. | | |
| When examined .. | | |
| When signed .. | | |
| When despatched .. | | |

Establishment - Dt. Munsif's Court, Kundapur - permanent retention of the temporary clerk on Rs. 35-60 a month - sanctioned.

READ AGAIN G.O. No. 3755 29, dated 14. 10. 1929.

" " " " " " 19

READ ALSO :—

C. No. 4151/B From the Regr. High Court, , No. 3498-29 Dt. dated 25-7-1929.

" " " " " " 19

" " " " " " 19

## ORDER.

No. 1430, dated 29. 3. 1930

The Govt. Sanction, with effect from the 1-4-1930, the permanent appointment of retention of the temporary clerk on Rs. 35-00 month Sanctioned for the Dt. Munsif's Court Kundapur in G.O. No. 3955 Law (Genl) dt. the 14-10-29. The Sanction is registered as No. 74 of 1930-31.

2. The Cost will be met from the appropriations under "24-c. Admn. of Justice - Civil and Sessions Courts - II - Mufassal Civil and Sessions Courts - Pay of Establishments - Permanent - Voted" in the budget grant for 1930-31.

To
The Hon. the C.J. with 2 C
The Ag. Secy. to Govt. Finance - 2
The Finance Depty - 3
Copy to the Dt. Judge, Kundapur. 4

Press. Please print and 40 clean copies.

116A/94

24.10.29

Law (General) Department.

NOTE FOR THE FINANCE COMMITTEE

Part II scheme for 1930- 31.

Permanent retention of the temporary clerk in the District Munsif's Court, Kundapur.

Summary

| Head of Account. | Item of expenditure. | Ultimate cost. | Cost in 1930-31 |
|---|---|---|---|
| | | Rs | Rs |
| 24-e. Admn.of Justice,Civil and Sessions Courts- ii-Mufassal, Civil and Sessions Courts - Pay of Establishments- Voted- permanent. | One clerk on Rs 35-60 a month | 570 | 385 |
| | Savings under Temporary | 570 | 385 |
| | Extra cost. | nil | nil |

30 Copies of the 1st Sent to Press on 8-11-29

Note by the Administrative department.

Consequent on the increase of work in the District Munsif court, Kundapur, the Honble the Judges recommended in September last that the establishment of the abnue court, which consisted of 7 clerks including the head clerk, ought be strengthened by the addition of another clerk. It was also pointed out that ~~computed to the work in the other~~ in Comparison with other courts of the South Kanara district, having a staff of 8 clerks including the head clerk, the District Munsif's Court, Kundapur was should be regarded as under manned. The High Court furnished the following statements in support of its proposal.

P.T.O.

STATEMENT A

INSTITUTIONS

| Particulars. | 1922 | 1923 | 1924 | 1925 | 1926 | 1927 | 1928 |
|---|---|---|---|---|---|---|---|
| Original Suits. | 728 | 798 | 961 | 934 | 1000 | 982 | 607 |
| Small Cause Suits | 495 | 519 | 606 | 526 | 618 | 723 | 1123 |
| Misc.Petitions. | 2466 | 2628 | 2645 | 2209 | 2597 | 2206 | 2594 |
| Execution Petitions. | 2567 | 2679 | 2795 | 3151 | 3550 3224 | 3294 | 3636 |

STATEMENT B.

Average institutions (1926-28) in the courts of the District Munsifs in South Kanara district with the number of clerks.

| Name of Court. | Original Suits. | Small Cause Suits. | Total. | No. of clerks including Head clerks. |
|---|---|---|---|---|
| Dist.Munsif's Court, Mangalore | 611 | 1076 | 1687 | 8 |
| " Kasaragod | 659 | 873 | 1532 | 7 |
| " Udipi | 735 | 1131 | 1866 | 8 |
| " Kundapur. | 863 | 821 | 1684 | 7 |
| " Karkal | 309 | 801 | 1110 | 6 |
| " Puttur | 991 | 335 | 1326 | 7 |

As ~~there was no justification~~ a case was made out for the addition of a clerk to the establishment of the Dist.Munsif's Court, Kundapur, the Govt. sanctioned the appointment of a clerk on a temporary basis from the 1-11-1929 till the 31-3-1930 ~~It is now~~ essential that this appointment should be made permanent from the 1-4-1930. The proposal is recommended in this department.

Case reserved the question of permanently sanctioning the abolished clerk for consideration in connection with the Part II Schemes for the next year. There appears to be ample justification for the recommendation of the High Court.

12.10.29

14/10

15/10

17-10-29

Orders by the Finance Department.

The proposal may be placed before the Finance Committee as a Part II Scheme for 1930-31.

E.C.W.

17.10.29